

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA**

In re: [CASE NAME]

Fletcher H. Hyler

Case No. 04-32952-TEC-11

**CHAPTER 11  
MONTHLY OPERATING REPORT  
(SMALL REAL ESTATE/INDIVIDUAL CASE)**

**SUMMARY OF FINANCIAL STATUS**

**MONTH ENDED:** Jan 2005

**PETITION DATE:** \_\_\_\_\_

1. Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor).  
Dollars reported in \$1

	<u>End of Current Month</u>	<u>End of Prior Month</u>	<u>As of Petition Filing</u>
2. <b>Asset and Liability Structure</b>			
a. Current Assets	\$11,317,600	\$11,317,600	
b. Total Assets	\$11,317,600	\$11,317,600	\$9,317,600
c. Current Liabilities	approx. \$125,000	\$81,500	
d. Total Liabilities	approx. \$6,297,000 *	\$6,201,650	
3. <b>Statement of Cash Receipts &amp; Disbursements for Month</b>	<u>Current Month</u>	<u>Prior Month</u>	<u>Cumulative (Case to Date)</u>
a. Total Receipts	\$943.00	\$1,000.00	\$12,988.00
b. Total Disbursements	\$939.00	\$807.00	
c. Excess (Deficiency) of Receipts Over Disbursements (a - b)		\$135.00	
d. Cash Balance Beginning of Month	\$170.32	\$272.00	
e. Cash Balance End of Month (c + d)	\$166.92	\$409.00	\$166.92
4. <b>Profit/(Loss) from the Statement of Operations</b>	<u>Current Month</u>	<u>Prior Month</u>	<u>Cumulative (Case to Date)</u>
	N/A	N/A	N/A
5. <b>Account Receivables (Pre and Post Petition)</b>	_____	_____	_____
6. <b>Post-Petition Liabilities</b>	_____	_____	_____
7. <b>Past Due Post-Petition Account Payables (over 30 days)</b>	_____	_____	_____

**At the end of this reporting month:**

	<u>Yes</u>	<u>No</u>
8. Have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee)	_____	<u>X</u>
9. Have any payments been made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee)	_____	<u>X</u>
10. If the answer is yes to 8 or 9, were all such payments approved by the court?	_____	<u>X</u>
11. Have any payments been made to officers, insiders, shareholders, relatives? (if yes, attach listing including date of payment, amount and reason for payment, and name of payee)	_____	<u>X</u>
12. Is the estate insured for replacement cost of assets and for general liability?	<u>X</u>	_____
13. Are a plan and disclosure statement on file?	_____	<u>X</u>
14. Was there any post-petition borrowing during this reporting period?	_____	<u>X</u>
15. Check if paid: Post-petition taxes _____; U.S. Trustee Quarterly Fees _____; Check if filing is current for: Post-petition tax reporting and tax returns: _____ (Not due yet)		

(Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax ) reporting and tax return filings are not current.)

I declare under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry believe these documents are correct.

Date: \_\_\_\_\_

*Fletcher H. Hyler*

**BALANCE SHEET**  
(Small Real Estate/Individual Case)  
For the Month Ended Jan 2005

Assets	Check if Exemption Claimed on Schedule C	<u>Market Value</u>
<b>Current Assets</b>		
1     Cash and cash equivalents (including bank accts., CDs, etc.)	_____	<u>\$500.00 approx.</u>
2     Accounts receivable (net)	_____	_____
3     Retainer(s) paid to professionals	_____	_____
4     Other: _____	_____	_____
5     _____	_____	_____
6 <b>Total Current Assets</b>		_____
<b>Long Term Assets (Market Value)</b>		
7     Real Property (residential)	x _____	<u>\$11,000,000</u>
8     Real property (rental or commercial)	_____	_____
9     Furniture, Fixtures, and Equipment	x _____	<u>\$266,000</u>
10    Vehicles	_____	_____
11    Partnership interests	x _____	<u>\$20,000</u>
12    Interest in corporations	_____	_____
13    Stocks and bonds	_____	_____
14    Interests in IRA, Keogh, other retirement plans	_____	<u>\$30,000</u>
15    Other: <u>Stock options (est.)</u>	_____	_____
16    _____	_____	_____
17 <b>Total Long Term Assets</b>		<u>\$11,316,000</u>
18 <b>Total Assets</b>		<u>\$11,316,000</u>
<b>Liabilities</b>		
<b>Post-Petition Liabilities</b>		
<b>Current Liabilities</b>		
19     Post-petition not delinquent (under 30 days)		<u>\$1,000 approx.</u>
20     Post-petition delinquent other than taxes (over 30 days)		_____
21     Post-petition delinquent taxes		<u>\$20,000</u>
22     Accrued professional fees	property tax	_____
23     Other:	undetermined	_____
24 <u>Accrued mtg. liability - \$120,000</u>		<u>\$120,000 approx.</u>
25 <b>Total Current Liabilities</b>		_____
26 <b>Long-Term Post Petition Debt</b>		_____
27 <b>Total Post-Petition Liabilities</b>		<u>\$141,000 approx.</u>
<b>Pre-Petition Liabilities (allowed amount)</b>		
28     Secured claims (residence)		<u>\$5,656,000 approx.</u>
29     Secured claims (other)		<u>\$70,000</u>
30     Priority unsecured claims		<u>\$130,000 approx.*</u>
31     General unsecured claims		<u>\$300,000 approx.</u>
32 <b>Total Pre-Petition Liabilities</b>		<u>\$6,156,000</u>
33 <b>Total Liabilities</b>		<u>\$6,297,000 approx.</u>
<b>Equity (Deficit)</b>		
34 <b>Total Equity</b>	Equity Approx.	<u>\$4,700,00</u>
35 <b>Total Liabilities and Equity (Deficit)</b>		_____

**NOTE:**

Indicate the method used to estimate the market value of assets (e.g., appraisals; familiarity with comparable market prices, etc.) and the date the value was determined.

## SCHEDULES TO THE BALANCE SHEET

### Schedule A Rental Income Information

List the Rental Information Requested Below By Properties (For Rental Properties Only)

	<u>Property 1</u>	<u>Property 2</u>	<u>Property 3</u>
1 Description of Property			
2 Scheduled Gross Rents			
Less:			
3 Vacancy Factor			
4 Free Rent Incentives			
5 Other Adjustments			
6 Total Deductions			
7 Scheduled Net Rents			
8 Less: Rents Receivable (2)			
9 Scheduled Net Rents Collected (2)			

(2) To be completed by cash basis reporters only.

### Schedule B Recapitulation of Funds Held at End of Month

	<u>Account 1</u>	<u>Account 2</u>	<u>Account 3</u>
10 Bank Washington Mutual			
11 Account No.			
12 Account Purpose	488 04128		
13 Balance, End of Month	\$166.92		
14 Total Funds on Hand for all Accounts			

Attach copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating

**STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS**  
**Increase/(Decrease) in Cash and Cash Equivalents**  
For the Month Ended Jan 2005

		Actual Current Month	Cumulative (Case to Date)
<b>Cash Receipts</b>			
1	Rent/Leases Collected		
2	Cash Received from Sales		
3	Interest Received		
4	Borrowings		
5	Funds from Shareholders, Partners, or Other Insiders		
6	Capital Contributions		
7			
8	<u>Compensation Approx.</u>	<u>\$943.00</u>	
9			
10			
11			
12	<b>Total Cash Receipts</b>		
<b>Cash Disbursements</b>			
13	Selling		
14	Administrative		
15	Capital Expenditures		
16	Principal Payments on Debt		
17	Interest Paid		
	Rent/Lease:		
18	Personal Property		
19	Real Property		
	Amount Paid to Owner(s)/Officer(s)		
20	Salaries		
21	Draws		
22	Commissions/Royalties		
23	Expense Reimbursements		
24	Other		
25	Salaries/Commissions (less employee withholding)		
26	Management Fees		
	Taxes:		
27	Employee Withholding		
28	Employer Payroll Taxes		
29	Real Property Taxes		
30	Other Taxes		
31	Other Cash Outflows:		
32	<u>Per Expense</u>	<u>\$939.60</u>	
33			
34			
35			
36			
37	<b>Total Cash Disbursements:</b>		
38	<b>Net Increase (Decrease) in Cash</b>		
39	<b>Cash Balance, Beginning of Period</b>		
40	<b>Cash Balance, End of Period</b>	<u>\$166.92</u>	

**STATEMENT OF ACCOUNT**

THE FEE FOR EACH OVERDRAWN TRANSACTION,  
WHETHER PAID OR RETURNED, IS \$22.00.

TO REACH CUSTOMER SERVICE, PLEASE CALL  
TELEPHONE BANKING AT 1-800-788-7000.

114,697

08-S-83

FLETCHER H HYLER  
5070 ALPINE RD  
PORTOLA VALLEY CA 94028-8073

STATEMENT PERIOD:  
FROM 12-14-04  
THRU 01-13-05

0

FOR PLATINUM CHECKING CUSTOMERS: EFFECTIVE JANUARY 23, 2005, THERE WILL BE TWO NEW  
INTEREST BALANCE TIERS FOR YOUR PLATINUM CHECKING ACCOUNT: \$100,000 TO \$249,999 AND  
\$250,000 AND OVER. FOR QUESTIONS, VISIT YOUR FINANCIAL CENTER OR CALL 1-800-788-7000.

FREE CHECKING

WASHINGTON MUTUAL BANK, FA

FDIC INSURED

FLETCHER H HYLER

ACCOUNT NUMBER: 488-034142-8

YOUR OVERDRAFT LIMIT, AS OF THE STATEMENT END DATE,  
WAS \$ 1,000.00. THIS MAY BE CHANGED AT ANY TIME  
WITHOUT NOTICE. OVERDRAFTS ARE SUBJECT TO A PER  
TRANSACTION CHARGE. SEE REVERSE FOR MORE INFORMATION.

BEGINNING BALANCE	TOTAL WITHDRAWALS	TOTAL DEPOSITS	ENDING BALANCE
486.27	653.37	543.00	375.90

YTD INTEREST PAID : .00  
YTD INTEREST WITHHELD: .00

DATE	WITHDRAWALS	DEPOSITS	TRANSACTION DESCRIPTION
2/20	27.66		VISA-CHEVRON 00095700 CUPERTINO CA
2/23	12.00		VISA-AMPCO SYSTEM PARKISAN FRANCISCO CA
2/24	124.45		VISA-RISTORANTE CARPACCENLO PARK CA
2/27	15.00		VISA-PORTOLA VALLEY FUEPORTOLA VALLECA
2/28	64.94		POS BIG 5 SPTG G BIG 5 SPTG GDS-0140 MENLO PARK 28 1228
2/28	8.00		VISA-WWW.INTERLAND.COM 404-720-3734 GA
2/31	30.60		VISA-HOBEES CALIFORNIA PALO ALTO CA
2/31	33.30		VISA-PORTOLA VALLEY FUEPORTOLA VALLECA
1/04	55.00		VISA-NORTHWEST FUEL 866-4683973 WA
1/06	9.69		VISA-CHEVRON 00097016 REDWOOD CITY CA
1/07		543.00	ATM-NCHG SIA07202 170 LADERA CNTRY PORTOLA VLY 96 0107
1/10	124.33		VISA-FLOWER LOUNGE RESTMILLBRAE CA
1/10	5.95		VISA-CREDIT REPORT 800-800-493-3292 CA
1/11	40.00		ATM-NCHG SIA07101 650 SANTA CRUZ MENLO PARK 54 0111
1/12	21.30		VISA-CHEVRON 00095700 CUPERTINO CA

**DETAIL OF CHECKS PAID:**

CHECK NUMBER	DATE PAID	AMOUNT	CHECK NUMBER	DATE PAID	AMOUNT	CHECK NUMBER	DATE PAID	AMOUNT
134	12/15	81.15						



# Washington Mutual

## STATEMENT OF ACCOUNT

THE FEE FOR EACH OVERDRAWN TRANSACTION,  
WHETHER PAID OR RETURNED, IS \$22.00.

TO REACH CUSTOMER SERVICE, PLEASE CALL  
TELEPHONE BANKING AT 1-800-788-7000.

117,223

08-S-83

FLETCHER H HYLER  
5070 ALPINE RD  
PORTOLA VALLEY CA 94028-8073

STATEMENT PERIOD:  
FROM 01-14-05  
THRU 02-11-05

0

BE CAUTIOUS OF E-MAILS ASKING YOU FOR PERSONAL, BANKING, OR CREDIT CARD INFORMATION.  
LEARN HOW E-MAIL SCAMS WORK AND HOW YOU CAN PROTECT YOURSELF AT: WAMU.COM  
JUST CLICK THE ALERT LINK ON THE RIGHT SIDE OF YOUR SCREEN.

FREE CHECKING

WASHINGTON MUTUAL BANK, FA

FDIC INSURED

FLETCHER H HYLER

ACCOUNT NUMBER:

488-034142-8

YOUR OVERDRAFT LIMIT, AS OF THE STATEMENT END DATE,  
WAS \$ 1,000.00. THIS MAY BE CHANGED AT ANY TIME  
WITHOUT NOTICE. OVERDRAFTS ARE SUBJECT TO A PER  
TRANSACTION CHARGE. SEE REVERSE FOR MORE INFORMATION.

BEGINNING BALANCE	TOTAL WITHDRAWALS	TOTAL DEPOSITS	ENDING BALANCE
375.90	731.66	400.00	44.24

YTD INTEREST PAID : .00  
YTD INTEREST WITHHELD: .00

DATE	WITHDRAWALS	DEPOSITS	TRANSACTION DESCRIPTION
01/14	40.00		ATM-NCHG S1A07101 650 SANTA CRUZ MENLO PARK 95 0114
01/18	3.00		VISA-STANFORD UNIV TRANSTANFORD CA
01/19	12.00		VISA-AMPCO SYSTEM PARKISAN FRANCISCOCA
01/21	27.18		VISA-CHEVRON 00095700 CUPERTINO CA
01/24	140.00		VISA-CORKSCREW CAFE RESCARMEL VALLEYCA
01/24	33.25		VISA-CHEVRON 00095700 CUPERTINO CA
01/24	140.00		VISA-THE VILLAGE PUB WOODSIDE CA
01/25		400.00	ATM-NCHG S1A07202 170 LADERA CNTRY PORTOLA VLY 40 0125
01/25	22.00		OVERDRAFT CHARGE
01/27	16.90		VISA-CHEVRON 00095700 CUPERTINO CA
01/28	8.00		VISA-WWW.INTERLAND.COM 404-720-3734 GA
01/31	100.00		ATM-NCHG S1A07202 170 LADERA CNTRY PORTOLA VLY 43 0131
01/31	25.00		VISA-LONGS DRUG STORES MENLO PARK CA
01/31	16.00		VISA-PORTOLA VALLEY FUEPORTOLA VALLECA
02/04	28.33		VISA-CHEVRON 00095700 CUPERTINO CA
02/08	20.00		VISA-AMPCO SYSTEM PARKISAN FRANCISCOCA

### DETAIL OF CHECKS PAID:

CHECK NUMBER	DATE PAID	AMOUNT	CHECK NUMBER	DATE PAID	AMOUNT	CHECK NUMBER	DATE PAID	AMOUNT
161	02/07	100.00						